

PB# 00-12

**Okram Oasis
(formerly Marko's)**

49-1-21 & 22

OKRAM OASIS (formerly Marko's)
FORGE HILL ROAD - PARKING
AND RENOVATION TO EXISTING
BUILDING (CUOMO)

00-

Approved 12-14-00

VERGILIS, STENGER, ROBERTS & PERGAMENT

ATTORNEYS AND COUNSELORS AT LAW

1136 ROUTE 9

WAPPINGERS FALLS, NEW YORK 12590

(845) 298-2000

FAX (845) 298-2842

c-mail: VSRP@BestWeb.Net

GERALD A. VERGILIS*
KENNETH M. STENGER
ALBERT P. ROBERTS
IRA A. PERGAMENT
ANTONIA T. LUCIA
JOAN F. GARRETT**
THOMAS R. DAVIS
MARIA J. GRECO

*ADMITTED TO PRACTICE
IN NY & FLA.

**ADMITTED TO PRACTICE
IN NY & CONN.

LEGAL ASSISTANTS:

AMY E. WOODARD
KRISTEN S. GUTHRIE

POUGHKEEPSIE OFFICE
276 MAIN MALL
POUGHKEEPSIE, NY 12601
(845) 452-1046

ADDRESS REPLY TO: () POUGHKEEPSIE
() WAPPINGERS

February 20, 2001

James Petro, Planning Board Chairman
Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

Re: Okram, LLC with Town of New Windsor
298-300 Forge Hill Road, New Windsor

Dear Mr. Petro:

This will serve to inform you that the real estate taxes in regard to the above parcels have been paid. Enclosed is a receipt from the Commissioner of Finance. I believe we can now file the deed to merge these lots into one as per our understanding.

Should you have any questions, please feel free to call me.

Very truly yours,

VERGILIS, STENGER, ROBERTS & PERGAMENT


GERALD A. VERGILIS
GAV/aew

cc: Andrew Krieger, Esq.
Wayne Baratta

RECEIVED

FEB 22 2001

P.B.#
00-19

COMMISSIONER OF FINANCE
COUNTY OF ORANGE
GOSHEN, NEW YORK 10924

PAGE 2 OF 2
TAXPAYER'S RECEIPT
1 DECEMBER 2000

TOWN OF NEW WINDSOR
SBL 49-1-22
TAXABLE VALUE 91000
PARC NO. 1896.000 1994

4800 OWNER
STP/JMK PROPERTIES INC
360 OLD FORGE HILL RD
NEW WINDSOR NY 12553

***** DELINQUENT TAX DUE *****				*** DELINQUENT TAX PAYMENTS ***				
TYPE	TAX	LA/PENLTY	P ADV	FILE/FEE *	TAX	LA/PEN	PA/INTRST	FEE
96CS	5250.59				5250.59		315.04	
96FE			6.00				6.00	
97CS	5513.70				5513.70		330.82	
99CS	4613.07				4613.07		276.78	
99FE		6.00		15.00		6.00		15.00

NGCK FEE LS FEE PLS FEE 145.00
PAID 1/08/2001 BY WILLIAM BROMBERG

AMOUNT PAID 45,514.43
BALANCE DUE 0.00
OVERPAYMENT 0.00
MODE OF PAYMENT BC 2

RECEIVED BY MA Hesse
TAXES PAID IN FULL

00-12

COMMISSIONER OF FINANCE
COUNTY OF ORANGE
GOSHEN, NEW YORK 10924

PAGE 1 OF 2
TAXPAYER'S RECEIPT
1 DECEMBER 2000

TOWN OF NEW WINDSOR
SBL 49-1-22
TAXABLE VALUE 91000
PARC NO. 1896.000 1994

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STP/JMK PROPERTIES INC
360 OLD FORGE HILL RD
NEW WINDSOR NY 12553

***** DELINQUENT TAX DUE *****					*** DELINQUENT TAX PAYMENTS ***			
TYPE	TAX	LA/PENLTY	P ADV	FILE/FEE *	TAX	LA/PEN	PA/INTRST	FEE
94SA	9307.22				9307.22			
94CT	3512.26				3512.26		210.74	
94CS	4526.85				4526.85		271.61	
95CT	3638.80				3638.80		218.33	
95CS	4993.43				4993.43		299.61	
95FE				15.00				15.00
96CT	1932.62				1932.62		115.96	
NGCK FEE	LS FEE		PLS FEE	145.00	AMOUNT PAID		45,514.43	
PAID 1/08/2001	BY WILLIAM BROMBERG				BALANCE DUE		0.00	
					OVERPAYMENT		0.00	
RECEIVED BY	<u>MA Hesse</u>				MODE OF PAYMENT	BC	2	
TAXES PAID IN FULL								

00-12

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/04/2001

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 0-12

NAME: MARKO'S OASIS

APPLICANT: OKRAM LLC

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
12/14/2000	PLANS STAMPED	APPROVED
07/12/2000	P.B. APPEARANCE	SCHED PH
07/05/2000	WORK SESSION APPEARANCE	SUBMIT
05/04/2000	WORK SESSION APPEARANCE	RETURN TO WS

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/04/2001

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 0-12
NAME: MARKO'S OASIS
APPLICANT: OKRAM LLC

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	06/28/2000	EAF SUBMITTED	/ /	WITH APPLIC
ORIG	06/28/2000	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	06/28/2000	LEAD AGENCY DECLARED	07/12/2000	TOOK LA
ORIG	06/28/2000	DECLARATION (POS/NEG)	/ /	
ORIG	06/28/2000	SCHEDULE PUBLIC HEARING	07/12/2000	SCHED. PH
ORIG	06/28/2000	PUBLIC HEARING HELD	/ /	
ORIG	06/28/2000	WAIVE PUBLIC HEARING	/ /	
ORIG	06/28/2000	AGRICULTURAL NOTICES	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/22/2000

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
4% FEE

FOR PROJECT NUMBER: 0-12
NAME: MARKO'S OASIS
APPLICANT: OKRAM LLC

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/17/2000	2% OF COST ESTIMATE \$20,3	CHG	406.40		
11/20/2000	REC. CK. #2498	PAID		406.40	
		TOTAL:	406.40	406.40	0.00



BRADY ENGINEERING

POST OFFICE BOX 482
WALDEN, N.Y. 12586-0482

Civil/Environmental Services

(914) 778-4006

November 2, 2000

IMPROVEMENT COST ESTIMATE for MARKO'S OASIS

DESCRIPTION	QUANTITY	UNIT PRICE	COST
Paved Parking Lot	1,144 S.Y.	\$9.7 ¹⁰ S.Y.	\$10,300 11,440
Conc. Curbing	100 FT	\$17.7 ¹⁰ LF	\$1,700 1,000
5' Wide Conc. Sidewalk	140 FT 78.54	\$21.37 ^{35.54} LF	\$3,010 2,730
Parking Lot Lights, Poles & UG FEED	2 Each	\$750 ⁹⁰⁰ Each	\$1,500 1,800
Wall Parking Lights	3 Each	\$350 Each	\$ 1,050
Handicapped Sign	2 Each	\$150 Each	\$ 300
Drainage Swale	Lump	\$1,000	\$ 1,000
Landscaping	Lump	\$1,000	\$ 1,000
	TOTAL		\$19,860 → 20,320

mgz 11-14-00 406.40

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#00-12

11/22/2000

Oasis, Okran Llc Dba Marko's

Received \$ 100.00 for Planning Board Fees, on 11/22/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/22/2000

PAGE: 1

LISTING OF PLANNING BOARD **FEE**
ESCROW

FOR PROJECT NUMBER: 0-12
NAME: MARKO'S OASIS
APPLICANT: OKRAM LLC

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/28/2000	REC. CK. #2102 (OKRAM LLC	PAID		750.00	
07/12/2000	P.B. ATTY. FEE	CHG	35.00		
07/12/2000	P.B. MINUTES	CHG	27.00		
10/25/2000	P.B. ATTY. FEE	CHG	35.00		
10/25/2000	P.B. MINUTES	CHG	54.00		
11/17/2000	P.B. ENGINEER FEE	CHG	568.00		
11/21/2000	RETURN TO APPLICANT	CHG	31.00		
		TOTAL:	750.00	750.00	0.00

11/21/00
L.R.

JOB: 67-56

NEW WINDSOR PLANNING BOARD (Feeable to Applicant)

CLIENT: TOWN OF NEW WINDSOR

TASK: 0-12

FOR WORK DONE PRIOR TO: 11/17/2000

-----DOLLARS-----											
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	FRS.	TIME	EXP.	BILLED	BALANCE
.....											
0-12	153645	05/04/00	TIME	MJE	WS MARKOS SITE PLAN	80.00	0.40	32.00			
0-12	170890	07/05/00	TIME	MJE	FI FIELD REV MARKOS	80.00	0.70	56.00			
0-12	170893	07/05/00	TIME	MJE	WS MARKOS	80.00	0.40	32.00			
0-12	172220	07/11/00	TIME	MJE	MC MARKOS SITE PLAN	80.00	0.50	40.00			
0-12	174879	08/10/00	TIME	MJE	MC MARKOS W/BRADY	80.00	0.20	16.00			
0-12	175169	08/14/00	TIME	MJE	MC MARKOS W/BRADY	80.00	0.20	16.00			
0-12	175218	08/16/00	TIME	MJE	AS OKRAH N/S	80.00	0.40	32.00			
0-12	177715	09/11/00	TIME	MJE	MC MARKOS W/BRADY	80.00	0.20	16.00			
0-12	179563	09/19/00	TIME	MJE	MC TC/BRADY RE MARKOS	80.00	0.30	24.00			
0-12	179532	09/20/00	TIME	MJE	WS OKRAH S/P	80.00	0.30	24.00			
								288.00			
0-12	176271	09/12/00			BILL GC-371					-240.00	
										-240.00	
0-12	182021	10/19/00	TIME	MJE	MC TC/AP ATTY RE MARKOS	80.00	0.40	32.00			
0-12	182035	10/11/00	TIME	MJE	MC MARKOS	80.00	0.30	24.00			
0-12	183490	10/23/00	TIME	MJE	MC MARKOS SITE PLAN	80.00	0.50	40.00			
0-12	183546	10/31/00	TIME	MJE	MC MARKOS W/BRADY	80.00	0.30	24.00			
0-12	183555	11/01/00	TIME	MJE	MC MARKOS W/BRADY	80.00	0.50	40.00			
								=====	=====	=====	=====
TASK TOTAL								448.00	0.00	-240.00	208.00
.....											
								=====	=====	=====	=====
GRAND TOTAL								448.00	0.00	-240.00	208.00

11/4/00 1hr 80
 11/17/00 1/2hr 40
 448

 \$568



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.
1100 NEW YORK ROAD, JERSEY
CITY, PENNSYLVANIA

- ☐ **Main Office**
45 Quassaick Ave (Route 27A)
New Windsor, New York 12553
(914) 562-8640
e-mail: mcnery@anet.net
- ☐ **Regional Office**
507 Broad Street
Millford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@ptd.net

MEMORANDUM

(via fax)

14 Nov 2000

TO: MYRA MASON, P.B. SECRETARY

FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER

SUBJECT: MARKO'S OASIS (NW PB NO. 00-12)

I have reviewed the documents I received with regard to the subject matter. Please note the following comments:

- OK 1. The Deed to combine the lots appears to include an error in the description under course #9. The description notes 42.81', where the Kennedy survey and Brady plan note this as 42.87'. I believe the deed is incorrect and should be revised to 42.87'.
- OK 2. The Brady plan notes 39.57' for the length of bearing #2. The Kennedy survey notes 39.50'. The Brady plan should be corrected.
- 3. Attached is a markup of the cost estimate. I believe it can be accepted as revised.
- OK 4. The Brady plan still has an error regarding building height. The code is 12" per ft., not 4" per ft. Correct bulk table.
- 5. The parking calculation is acceptable.

11-17-00

I am hopeful that the documents can be resubmitted quickly with these minor corrections. I will review them as soon as they are in. Since I will be away from 11/17 (aft) to 11/27 the resubmittal should be made by this Thursday if possible.

Contact me if you have any questions.

Cc. Patrick Brady, P.E. (via fax - 778-4006)
Gerald Vergilis, Esq. (via fax - 298-2842)

Myra: 11400.doc

cc: Chris [unclear]

VERGILIS, STENGER, ROBERTS & PERGAMENT
ATTORNEYS AND COUNSELORS AT LAW1136 ROUTE 9
WAPPINGERS FALLS, NEW YORK 12590
(845) 298-2000

FAX (845) 298-2842

e-mail: VSRP@BesiWeb.Net

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IN NY & FLA.**ADMITTED TO PRACTICE
IN NY & CONNLEGAL ASSISTANTS:
AMY E. WOODARD
KRISTEN S. GUTHRIEPOUGHKEEPSIE OFFICE
276 MAIN MALL
POUGHKEEPSIE, NY 12601
(845) 432-1046ADDRESS REPLY TO () POUGHKEEPSIE
() WAPPINGERS

November 14, 2000

Andrew Krieger, Esq.
219 Quassaic Avenue
New Windsor, New York 12553Re: Wayne Baratta with Town of New Windsor
298-300 Forge Hill Road, New Windsor

Dear Mr. Krieger:

Per Mr. Edsall's memo dated November 14th, enclosed please find a revised deed correcting the description which he pointed out was in error.

Very truly yours,

VERGILIS, STENGER, ROBERTS & PERGAMENT


GERALD A. VERGILIS

GAV/aew

Enclosure

cc: Mark Edsall, PE

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made on November 14 2000
BETWEEN

WAYNE BARATTA, residing at 33 Village Common Road,
Fishkill, New York 12524

party of the first part, and

WAYNE BARATTA, residing at 33 Village Common Road,
Fishkill, New York 12524

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

\$10.00 and other good and valuable consideration

dollars,

lawful money of the United States,

paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the

TOWN OF NEW WINDSOR, County of Orange and
State of New York, and being more particularly bounded and described as
follows:

BEGINNING at a point in the easterly line of Old Forge Hill Road,
said point being the southwesterly corner of lands now or formerly of
Andriulolo, thence the following three courses along lands now or formerly of
Andriulolo:

1. N 75°15'16" E, 201.77 feet, thence;
2. S 4°34'47" E, 39.50 feet, thence;
3. N 11°02'00" E, 113.57 feet, thence;
4. S 4°26'00" E, 192.96 feet, along lands now or formerly of Crook and along
lands now or formerly of Ruhan thence;
5. S 18°41'00" E, 100.30 feet along lands now or formerly of Ruhan and along
lands now or formerly of Christian, thence;
6. S 73°44'00" W, 203.33 feet along lands now or formerly of Tower
Management Financing Partnership, LP, thence the following four courses
along the easterly line of Old Forge Hill Road, thence;
7. N 19°05'00" W, 77.32 feet, thence;
8. N 71°04'20" E, 3.00 feet, thence;
9. N 16°15'53" W, 42.87 feet, thence;
10. N 19°30'02" W, 112.00 feet, to the point of beginning.

BEING the same premises conveyed to the Grantor herein by deed dated
June 5, 2000 and recorded in the Orange County Clerk's Office on August 8,
2000 in Liber 5346 at page 130.

THE PURPOSE OF THIS DEED IS TO COMBINE THE PARCELS IN THE
PRIOR DEED INTO ONE PARCEL.

This conveyance is subject to the mortgage held by William Bromberg dated June 8, 2000 in the original principal sum of \$550,000.00, which mortgage is recorded in the Orange County Clerk's Office.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.


AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


Wayne Bagatta

90'd 7101

State of New York, County of Dutchess ss.:

On November 14, 2000 before me, the undersigned, personally appeared

Wayne Baratta

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(Signature of individual taking acknowledgment)
WYNE WOODARD

Notary Public, State of New York
No. 01WO4803123

ACKNOWLEDGMENT of Dutchess County (PL-309-b)
Commission Expires Aug. 31, 2001

State of _____ County of _____ ss.:

On _____ before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

(person is in political subdivision and state or county or other place acknowledged)

(signature and office of individual taking acknowledgment)

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

Title No. _____

TO

State of _____
County of _____ ss.:

On _____ before me, the undersigned, personally appeared

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in _____ place of residence is in a city, include the street and street number, if any, thereof.

that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

(If taken outside New York State, insert city or political subdivision and state or country or other place acknowledgment taken. And that said subscribing witness(es) made such appearance before the undersigned in _____)

(signature and office of individual taking acknowledgment)

SECTION _____
BLOCK _____
LOT _____
COUNTY OR TOWN _____

RETURN BY MAIL TO:

Gerald A. Vergilis, Esq.
Vergilis, Stenger, Roberts & Pergament
1136 Route 9
Wappingers Falls, New York 12590
Zip No. _____

Reserve this space for use of Recording Office.

**BRADY
ENGINEERING**

**POST OFFICE BOX 482
WALDEN, N.Y. 12586-0482**

Civil/Environmental Services

(914) 778-4006

November 14, 2000

**IMPROVEMENT COST ESTIMATE
for
MARKO'S OASIS**

DESCRIPTION	QUANTITY	UNIT PRICE	COST
Paved Parking Lot	1,144 S.Y.	\$ 10 / S.Y.	\$ 11,440
Conc. Curbing	100 FT	\$ 10 / LF	\$ 1,000
5' Wide Conc. Sidewalk	78 FT	\$ 35 / LF	\$ 2,730
Parking Lot Lights, Poles & UG FEED	2 Each	\$ 900 Each	\$ 1,800
Wall Parking Lights	3 Each	\$ 350 Each	\$ 1,050
Handicapped Sign	2 Each	\$ 150 Each	\$ 300
Drainage Swale	Lump	\$ 1,000	\$ 1,000
Landscaping	Lump	\$ 1,000	<u>\$ 1,000</u>
		TOTAL	<u>\$ 20,320</u>



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

November 3, 2000

Gerald Vergilis, Esq.
1136 Route 9
Wappingers Falls, NY 12590

Re: 49-1-21 & 22 Baratta Combination Request

Dear Mr. Vergilis,

I apologize for the delay in responding to your letter of August 10, 2000, with regard to the above referenced property owner.

To the best of my knowledge, I am authorized to sign a combination request form only after receiving a statement from the Orange County Commissioner of Finance, confirming that there are no delinquent taxes outstanding. I would suggest that you contact Joel Kleinman, Orange County Commissioner of Finance at (845) 291-2485, as I have a very limited knowledge of the laws regarding bankruptcy and the circumstances you describe in your letter are rather unusual. If you demonstrate to Mr. Kleinman that the New Windsor Planning Board has requested the combination, and make him aware of your agreement with the County, perhaps he will issue a statement regarding the taxes.

I will copy James Petro, Planning Board Chairman, as well as John McCarey, Director Orange County Real Property Tax Services.

If you have any further questions, please feel free to contact me at (845) 563-4631. Our office hours are Monday through Friday, 8:30 am to 4:30 pm.

Sincerely,

Leslie Cook
Sole Assessor

CC: James Petro, Planning Board Chairman
John McCarey, Director Orange County Real Property Tax Services

VERGILIS, STENGER, ROBERTS & PERGAMENT

ATTORNEYS AND COUNSELORS AT LAW

1136 ROUTE 9

WAPPINGERS FALLS, NEW YORK 12590

(845) 298-2000

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e-mail: VSRP@BestWeb.Net

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IN NY & FLA.

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IN NY & CONN.

LEGAL ASSISTANTS:

AMY E. WOODARD
KRISTEN S. GUTHRIE

POUGHKEEPSIE OFFICE
276 MAIN MALL
POUGHKEEPSIE, NY 12601
(845) 452-1046

ADDRESS REPLY TO: () POUGHKEEPSIE
() WAPPINGERS

November 8, 2000

Andrew Krieger, Esq.
219 Quassaic Avenue
New Windsor, New York 12553

Re: Wayne Baratta with Town of New Windsor
298-300 Forge Hill Road, New Windsor

Dear Mr. Krieger:

Pursuant to the agreement reached at the Town of New Windsor Planning Board meeting held on October 25th this year concerning the above property, I am pleased to enclose a copy of the deed combining the parcels into one together with a copy of a survey map showing that combined parcel.

By copy of this letter I am providing the same to the Town Engineer together with the prior deed descriptions for his comparison.

This combined deed description was prepared by Pat Kennedy, a license land surveyor whose stamp is on the enclosed survey.

Please also accept this letter as an acknowledgment of the owner of the property, Wayne Baratta, and the business entity, Okram, LLC of the following:

- a. The deed combining the parcels must be recorded no later than January 31, 2001;
- b. Proof of such recording will be provided to you simultaneously;

Page 2
November 7, 2000

c. If proof of recording is not received by you on or before January 31, 2001, that fact will be considered a violation of the terms of any Certificate of Occupancy granted for this parcel;

d. If there is such a violation, the Certificate of Occupancy may be revoked.

I believe this is in keeping with the terms you proposed at the Planning Board meeting.

For your consideration, I am also enclosing a copy of the minutes of your advice to the Board.

May I please hear from you if all is satisfactory.

Very truly yours,

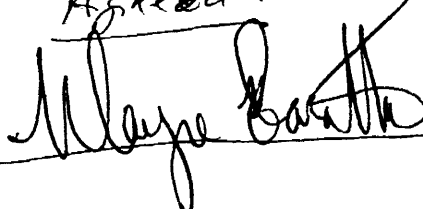
VERGILIS, STENGER, ROBERTS & PERGAMENT

GERALD A. VERGILIS

GAV/aew

Enclosure

cc: Mr. Wayne Baratta
Mark Edsall, Town Engineer

Agreed!




CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT — THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made on

November 8 2000

BETWEEN

WAYNE BARATTA, residing at 33 Village Common Road,
Fishkill, New York 12524

party of the first part, and

WAYNE BARATTA, residing at 33 Village Common Road,
Fishkill, New York 12524

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

\$10.00 and other good and valuable consideration

dollars,

lawful money of the United States,

paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the

TOWN OF NEW WINDSOR, County of Orange and
State of New York, and being more particularly bounded and described as
follows:

BEGINNING at a point in the easterly line of Old Forge Hill Road, said point being the southwesterly corner of lands now or formerly of Andriulolo, thence the following three courses along lands now or formerly of Andriulolo:

1. N 75°15'16" E, 201.77 feet, thence;
2. S 4°34'47" E, 39.50 feet, thence;
3. N 11°02'00" E, 113.57 feet, thence;
4. S 4°26'00" E, 192.96 feet, along lands now or formerly of Crook and along lands now or formerly of Ruhan thence;
5. S 18°41'00" E, 100.30 feet along lands now or formerly of Ruhan and along lands now or formerly of Christian, thence;
6. S 73°44'00" W, 203.33 feet along lands now or formerly of Tower Management Financing Partnership, LP, thence the following four courses along the easterly line of Old Forge Hill Road, thence;
7. N 19°05'00" W, 77.32 feet, thence;
8. N 71°04'20" E, 3.00 feet, thence;
9. N 16°15'53" W, 42.81 feet, thence;
10. N 19°30'02" W, 112.00 feet, to the point of beginning.

BEING the same premises conveyed to the Grantor herein by deed dated June 5, 2000 and recorded in the Orange County Clerk's Office on August 8, 2000 in Liber 5346 at page 130.

THE PURPOSE OF THIS DEED IS TO COMBINE THE PARCELS IN THE PRIOR DEED INTO ONE PARCEL.



CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT — THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made on

November 8 2000

BETWEEN

This conveyance is subject to the mortgage held by William Bromberg dated June 8, 2000 in the original principal sum of \$550,000.00, which mortgage is recorded in the Orange County Clerk's Office.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

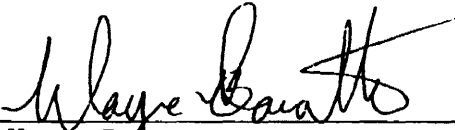
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


Wayne Bafatta

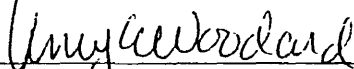
ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York, County of Dutchess ss.:

On November 8, 2000 before me, the undersigned, personally appeared

Wayne Baratta

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


(signature and office of individual taking acknowledgment)

AMY E. WOODARD
Notary Public, State of New York
No. 01WO4903123

ACKNOWLEDGMENT Made in Dutchess County, New York (RPL 309-b)

Commission Expires Aug. 31, 2001

State of _____ County of _____ ss.:

On _____ before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS(ES)

State of _____ } ss.:
County of _____ }

On _____ before me, the undersigned, personally appeared

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number, if any, thereof);

that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

(☐ if taken outside New York State insert city or political subdivision and state or country or other place acknowledgment taken And that said subscribing witness(es) made such appearance before the undersigned in

(signature and office of individual taking acknowledgment)

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

SECTION

BLOCK

LOT

COUNTY OR TOWN

TO

RETURN BY MAIL TO:

Gerald A. Vergilis, Esq.
Vergilis, Stenger, Roberts & Pergament
1136 Route 9
Wappingers Falls, New York 12590
Zip No.

Reserve this space for use of Recording Office.



New York State Department of Taxation and Finance

Combined Real Estate Transfer Tax Return and Credit Line Mortgage Certificate

Recording Office Time Stamp

See instructions (TP-584-1) before completing this form. Please print or type.

Schedule A — Information Relating to Conveyance

Grantor <input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other	Name (if individual; last, first, middle initial) Baratta, Wayne		Social Security Number 080 60 7871	
	Mailing address 33 Village Common Road		Social Security Number 	
	City Fishkill, New York	State 	ZIP code 12524	Federal employer ident. number
	Name (if individual; last, first, middle initial) Baratta, Wayne		Social Security Number 	
Grantee <input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other	Mailing address 33 Village Common Road		Social Security Number 	
	City Fishkill, New York	State 	ZIP code 12524	Federal employer ident. number

Location and description of property conveyed

Tax map designation			Address	City/Village	Town	County
Section	Block	Lot				
49	1	21 & 22	298-300 Forge Hill Road		New Windsor	Orange

Type of property conveyed (check applicable box)

- 1 ☐ 1 - 3 family house
 2 ☐ Residential cooperative
 3 ☐ Residential condominium
 4 ☐ Vacant land
 5 ☒ Commercial/Industrial
 6 ☐ Apartment building
 7 ☐ Office building
 8 ☐ Other _____

Date of conveyance

11		00
month		year

 Percentage of real property conveyed which is residential real property 0

(c) (1) (b) (1) (c)

Condition of conveyance (check all that apply)

- | | | |
|--|---|---|
| a. <input checked="" type="checkbox"/> Conveyance of fee interest | f. - Conveyance which consists of a mere change of identity or form of ownership or organization (attach Form TP-584.1, Schedule F) | k. - Contract assignment |
| b. - Acquisition of a controlling interest (state percentage acquired _____ %) | g. - Conveyance for which credit for tax previously paid will be claimed (attach Form TP-584.1, Schedule G) | l. - Option assignment or surrender |
| c. - Transfer of a controlling interest (state percentage transferred _____ %) | h. - Conveyance of cooperative apartment(s) | m. - Leasehold assignment or surrender |
| d. - Conveyance to cooperative housing corporation | i. - Syndication | n. - Leasehold grant |
| e. - Conveyance pursuant to or in lieu of foreclosure or enforcement of security interest (attach Form TP-584.1, Schedule E) | j. - Conveyance of air rights or development rights | o. - Conveyance of an easement |
| | | p. - Conveyance for which exemption from transfer tax is claimed (complete Schedule Part III) |
| | | q. - Conveyance of property partly within and partly without the state |
| | | r. - Other (describe) _____ |

Schedule B — Real Estate Transfer Tax Return (Article 31 of the Tax Law)

Part I — Computation of Tax Due

- 1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, check the exemption claimed box, enter consideration and proceed to Part III). ☐ Exemption claimed
- 2 Continuing lien deduction (see instructions if property is taken subject to mortgage or lien)
- 3 Taxable consideration (subtract line 2 from line 1)
- 4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3
- 5 Amount of credit claimed (see instructions and attach Form TP-584.1, Schedule G)
- 6 Total tax due* (subtract line 5 from line 4)

1	0
2	(
3	0
4	0
5	(0
6	0

Part II — Computation of Additional Tax Due on the Conveyance of Residential Real Property for \$1 Million or More

- 1 Enter amount of consideration for conveyance (from Part I, line 1)
- 2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property; see instructions)
- 3 Total additional transfer tax due* (1% of line 2)

1	
2	
3	

*Please make check(s) payable to the county clerk where the recording is to take place or if the recording is to take place in New York City, make check(s) payable to the **NYC Department of Finance**. If no recording is required, send this return and your check(s) made payable to the **Department of Taxation and Finance**, directly to the NYS Tax Department, TTB-Transfer Tax, PO Box 5045, Albany 12205-5045.

For recording officer's use	Amount received	Date received	Transaction number
	Part I \$ _____ Part II \$ _____		

Schedule B — (continued)**Part III — Explanation of Exemption Claimed in Part I, line 1 (check any boxes that apply)**

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, the state of New York or any of their instrumentalities, agencies or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada)..... a ☐
- b. Conveyance is to secure a debt or other obligation..... b ☐
- c. Conveyance is without additional consideration to confirm, correct, modify or supplement a prior conveyance..... c ☐
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts..... d ☐
- e. Conveyance is given in connection with a tax sale..... e ☐
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F..... f ☐
- g. Conveyance consists of deed of partition..... g ☐
- h. Conveyance is given pursuant to the federal bankruptcy act..... h ☐
- i. Conveyance consists of the execution of a contract to sell real property without the use or occupancy of such property or the granting of an option to purchase real property without the use or occupancy of such property..... i ☐
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a 1-, 2-, or 3-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment..... j ☐
- k. Conveyance is not a conveyance within the meaning of section 1401(e) of Article 31 of the Tax Law (attach documents supporting such claim)..... k ☐
- l. Other (attach explanation)..... l ☐

Schedule C — Credit Line Mortgage Certificate (Article 11 of the Tax Law)

Complete the following only if the interest being transferred is a fee simple interest.

I (we) certify that: (check the appropriate box)

- 1 ☒ The real property being sold or transferred is not subject to an outstanding credit line mortgage.
- 2 ☐ The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:

- ☐ The transfer of real property is a transfer for value. The transferor is a grantor or a transferee of real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
- ☐ The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
- ☐ The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee or other officer of a court.
- ☐ The maximum principal amount secured by the credit line mortgage is \$3,000,000 or more and the real property being sold or transferred is **not** principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

Please note: for purposes of determining whether the maximum principal amount secured is \$3,000,000 or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.

☐ Other (attach detailed explanation).

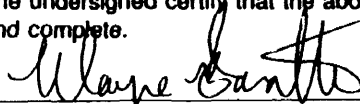
3 ☐ The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:

- ☐ A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
- ☐ A check has been drawn payable for transmission to the credit line mortgagee or his agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.

4 ☐ The real property being transferred is subject to an outstanding credit line mortgage recorded in _____ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is _____. No exemption from tax is claimed and the tax of _____ is being paid herewith. *(Make check payable to county clerk where deed will be recorded or, if the recording is to take place in New York City, make check payable to the NYC Department of Finance.)*

Signature (both the grantor(s) and grantee(s) must sign).

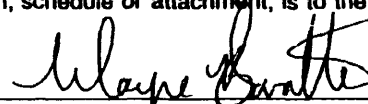
The undersigned certify that the above return, including any certification, schedule or attachment, is to the best of his/her knowledge, true and complete.



Grantor

Wayne Baratta

Title



Grantee

Wayne Baratta

Title

Reminder: Did you complete all of the required information in Schedules A and B? Were you required to complete Schedule C? If you checked e, f or g in Schedule A, did you complete TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place or, if the recording is in New York City, to the NYC Department of Finance? If no recording is required, send your check(s), made payable to the Department of Taxation and Finance, directly to the NYS Tax Department, TTB-Transfer Tax, PO Box 5045, Albany NY 12205-5045.

PLEASE TYPE OR PRESS FIRMLY WHEN WRITING ON FORM
INSTRUCTIONS: [http:// www.orps.state.ny.us](http://www.orps.state.ny.us) or PHONE (518) 473-7222

FOR COUNTY USE ONLY

C1. SWIS Code

--	--	--	--	--	--	--	--	--	--

C2. Date Deed Recorded

Month	Day	Year							

C3. Book

--	--	--	--	--	--	--	--	--	--

C4. Page

--	--	--	--	--	--	--	--	--	--



REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK

STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217

RP-5217 Rev. 3/97

PROPERTY INFORMATION

1. Property Location 298-300 Forge Hill Road
STREET NUMBER STREET NAME

New Windsor 12553
CITY OR TOWN VILLAGE ZIP CODE

2. Buyer Name Baratta Wayne
LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)

LAST NAME / COMPANY FIRST NAME

STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 2 # of Parcels OR ☐ Part of a Parcel

(Only if Part of a Parcel) Check as they apply:

5. Deed Size 133 x 201
101 x 203 X DEPTH OR ACRES

- 4A. Planning Board with Subdivision Authority Exists ☐
4B. Subdivision Approval was Required for Transfer ☐
4C. Parcel Approved for Subdivision with Map Provided ☐

6. Seller Name Baratta Wayne
LAST NAME / COMPANY FIRST NAME

LAST NAME / COMPANY FIRST NAME

7. Check the box below which most accurately describes the use of the property at the time of sale:

- | | | |
|--|--|--|
| A <input type="checkbox"/> One Family Residential | E <input type="checkbox"/> Agricultural | I <input type="checkbox"/> Community Service |
| B <input type="checkbox"/> 2 or 3 Family Residential | F <input checked="" type="checkbox"/> Commercial | J <input type="checkbox"/> Industrial |
| C <input type="checkbox"/> Residential Vacant Land | G <input type="checkbox"/> Apartment | K <input type="checkbox"/> Public Service |
| D <input type="checkbox"/> Non-Residential Vacant Land | H <input type="checkbox"/> Entertainment / Amusement | L <input type="checkbox"/> Forest |

Check the boxes below as they apply:

8. Ownership Type is Condominium ☐
9. New Construction on Vacant Land ☐
10A. Property Located within an Agricultural District ☐
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

SALE INFORMATION

11. Sale Contract Date

NA

Month / Day / Year

12. Date of Sale / Transfer

11 / 00
Month / Day / Year

13. Full Sale Price

0 0 0

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale

0 0 0

15. Check one or more of these conditions as applicable to transfer:

- A ☒ Sale Between Relatives or Former Relatives
B ☐ Sale Between Related Companies or Partners in Business
C ☐ One of the Buyers is also a Seller
D ☐ Buyer or Seller is Government Agency or Lending Institution
E ☐ Deed Type **not** Warranty or Bargain and Sale (Specify Below)
F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)
G ☐ Significant Change in Property Between Taxable Status and Sale Dates
H ☐ Sale of Business is Included in Sale Price
I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)
J ☐ None

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken

0 0

17. Total Assessed Value (of all parcels in transfer)

9 6 0 0 0

330

18. Property Class

484

-

19. School District Name

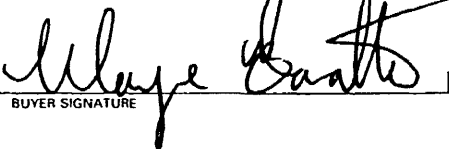
New Windsor

20. Tax Map Identifier(s) / Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

Section 49, Block 1, Lots 21 and 22

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER

BUYER SIGNATURE

DATE

11/7/00

33

STREET NUMBER

Village Common Road

STREET NAME (AFTER SALE)

Fishkill

CITY OR TOWN

NY

STATE

12524

ZIP CODE

SELLER

BUYER'S ATTORNEY

Vergilis

LAST NAME

Gerald

FIRST NAME

845

AREA CODE

298-2000

TELEPHONE NUMBER

NEW YORK STATE

PUBLIC HEARING
RESULTS OF P.B. MEETING OF: October 25, 2000

PROJECT: OKRAM Oasis S.P. P.B.# 00-12

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y__ N__

M) LS / LN VOTE: A 3 N 0

2. TAKE LEAD AGENCY: Y__ N__

CARRIED: YES ✓ NO__

M) S) VOTE: A N

CARRIED: YES__ NO__

Close

WAVE PUBLIC HEARING:

M) LS / LN

VOTE: A 3 N 0

Close
WAIVED: Y ✓ N__

SCHEDULE P.H. Y__ N__

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: YES__ NO__

APPROVAL:

M) S) VOTE: A N APPROVED:

M) LS / LN VOTE: A 3 N 0 APPROVED CONDITIONALLY: 10-25-00

NEED NEW PLANS: Y ✓ N__

DISCUSSION/APPROVAL CONDITIONS:

Prepare deed to combine 2 lots - Approved by Andy
With a description approved by Mark

11/8/00
Approved
by Andy by
Phone. Being
delivered to Mark

* Note on Map - Parcels to be combined. * Already
on the Map

Letter of Acknowledgment that deed will be
recorded and if not done by the end of Jan
Approval will be revoked.

11/8/00
Andy has this
and will get
me a copy.

Mrs. Christian spoke re: drainage.
Correct Bulk Tables

PLANNING BOARD : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK

In the Matter of Application for Site Plan/~~Subdivision~~ of

OKRAM INC

Applicant.

AFFIDAVIT OF
SERVICE
BY MAIL

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at ~~350~~ Bethlehem Road, New Windsor, NY 12553.

On October 11, 2000, I compared the 15 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for Site Plan/Subdivision and I find that the addressees are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Myra L. Mason
Myra L. Mason, Secretary for
the Planning Board

Sworn to before me this

11th day of Oct, 1920

Marybeth Hatala
Notary Public

MARY ANN HOTALING
Notary Public, State of New York
No. 01HO5062877
Qualified in Orange County
Commission Expires July 8, 2002

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF
NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC
HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on
WEDNESDAY, OCTOBER 25, 2000 at 7:30 P.M. on the approval of the
proposed Site Plan Approval for OKRAM, LLC

(Tax Map #Section 49, Block 1, Lot 21)

Located at FORGE HILL ROAD - TOWN OF NEW WINDSOR, NY.

Map of the Site Plan an is on file and may be inspected at the Planning Board
Office, Town Hall, 555 Union Avenue, New Windsor, NY prior to the Public
Hearing.

Date: OCTOBER 3, 2000

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr., Chairman



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 1)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
507 Broad Street
Milford, Pennsylvania 18331
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW WINDSOR

P/B # 0012

WORK SESSION DATE: 20 SEPT 00

APPLICANT RESUB.

REAPPEARANCE AT W/S REQUESTED: No

REQUIRED: new plan

PROJECT NAME: Okram. S/P

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Keri Butler / Pat Brady

MUNIC REPS PRESENT: BLDG INSP.
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- add pky cal
- add curb/pvt & swale detail
- shade interior area where being changed
- sheet run off to swale
- curb island + curb.
- landscape 2 areas
- Preparing for P/H

CLOSING STATUS

- Set for agenda
X possible agenda item
 Discussion item for agenda
 ZBA referral on agenda

pbwsform 10MJB98

VERGILIS, STENGER, ROBERTS & PERGAMENT

ATTORNEYS AND COUNSELORS AT LAW

1136 ROUTE 9

WAPPINGERS FALLS, NEW YORK 12590

(845) 298-2000

FAX (845) 298-2842

e-mail: VSRP@BestWeb.Net

GERALD A. VERGILIS*
KENNETH M. STENGER
ALBERT P. ROBERTS
IRA A. PERGAMENT
ANTONIA T. LUCIA
JOAN F. GARRETT**
THOMAS R. DAVIS
MARIA J. GRECO

*ADMITTED TO PRACTICE
IN NY & FLA.

**ADMITTED TO PRACTICE
IN NY & CONN.

LEGAL ASSISTANTS:
AMY E. WOODARD
KRISTEN S. GUTHRIE

POUGHKEEPSIE OFFICE
276 MAIN MALL
POUGHKEEPSIE, NY 12601
(845) 452-1046

ADDRESS REPLY TO: () POUGHKEEPSIE
() WAPPINGERS

October 10, 2000

James Petro, Planning Board Chairman
Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

Re: Okram, LLC - Wayne Baratta

Dear Mr. Petro:

It is my understanding that the application of Wayne Baratta (Marko's Beverage), has been adjourned to Wednesday, October 25th at 7:30 P.M.

By prior correspondence dated September 29, 2000, I had suggested that we might be able to resolve the issue of the merger of the lots pending the payment of the outstanding real estate taxes by having the one parcel grant a license to the other parcel for its use for parking.

Since the time of that prior correspondence, I have spoken both with Mr. Krieger, the Planning Board attorney, one of the building inspectors and Mark Edsall, the Town Engineer, concerning this issue.

To repeat our problem, the prior owner had made an arrangement with the County that he had until December 31, 2000 to pay the outstanding real estate taxes. The County will not allow a merger of these lots until all these taxes are paid. My client would like to get a site plan approval prior to December 31st. Therefore, we are willing to accept any approval which has as a condition that the lots must merge not later than January 15,

Page 2
October 10, 2000

2001. We will acknowledge, either by a note on the map or in the Resolution granting site plan approval, that the failure to combine the lots by January 15, 2001 will be considered a violation of the site plan subjecting the owner to a revocation of a Certificate of Occupancy. I feel confident that the smaller lot grant of a license to the larger lot would be sufficient to satisfy the requirements of the Town Code for parking or whatever other accessory use the smaller parcel has for the larger site.

If this proposal is satisfactory to the Planning Board, I would ask that the Board consider giving its direction to the engineer and attorney so that when we have the public hearing on the 25th, I may come prepared and perhaps have the language of the license approved by the Board Attorney and Mr. Edsall prior to that time.

Hopefully the Board will discuss this at its October 11th meeting as an item to be placed at the end of the agenda and I might be able to hear from Mr. Edsall or Mr. Krieger in this regard.

Thank you for your anticipated cooperation.

Very truly yours,

VERGILIS, STENGER, ROBERTS & PERGAMENT



GERALD A. VERGILIS

GAV/aew

Enclosure

cc: Andrew Krieger, Esq.

Mark Edsall

Wayne Baratta

VIA FAX

VERGILIS, STENGER, ROBERTS & PERGAMENT

ATTORNEYS AND COUNSELORS AT LAW

1136 ROUTE 9

WAPPINGERS FALLS, NEW YORK 12590

(845) 298-2000

FAX (845) 298-2842

e-mail: VSRP@BestWeb.Net

GERALD A. VERGILIS*
KENNETH M. STENGER
ALBERT P. ROBERTS
IRA A. PERGAMENT
ANTONIA T. LUCIA
JOAN F. GARRETT**
THOMAS R. DAVIS
MARIA J. GRECO

*ADMITTED TO PRACTICE
IN NY & FLA.

**ADMITTED TO PRACTICE
IN NY & CONN.

LEGAL ASSISTANTS:

AMY E. WOODARD
KRISTEN S. GUTHRIE

POUGHKEEPSIE OFFICE
276 MAIN MALL
POUGHKEEPSIE, NY 12601
(845) 452-1046

ADDRESS REPLY TO: () POUGHKEEPSIE
() WAPPINGERS

September 29, 2000

James Petro, Planning Board Chairman
Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

Re: Application of Wayne Baratta/Okram, LLC

Dear Mr. Petro:

As you know from my prior correspondence, I am the attorney representing Wayne Baratta and the business, Okram, LLC. The applicant is before this Board for a site plan approval for its business at 298-300 Forge Hill Road. I am told that one of the impediments to site plan approval is the fact that the deed descriptions are for two separate lots, not one lot. My client was informed that he should combine the lots into a single taxable lot. We attempted to do that but since there are unpaid taxes owed on the property by the prior owner, the County will not give us permission to combine the lots. When my client purchased the property, he did so under an agreement with the County that unpaid taxes would be paid on or before January 1, 2001. It is unlikely that the prior owner will pay those taxes before that date. This unfortunately leaves my client in a difficult situation, that is, he is unable to obtain site plan approval if a combined lot is the only answer.

My suggestion, however, to expedite the site plan approval would be as follows:

Since my client is the owner of both lots, the smaller lot can be made subject to an easement in favor of the larger parcel to be used for the purposes of parking if that is the requirement. We can do this by recorded easement or I could accomplish that by a recordable license. Both of these alternative remedies would expire as soon as the taxes are paid and my client is then able to combine the lots.

Page 2
September 29, 2000

I am taking the liberty of sending a copy of this letter to Mr. Krieger who I believe is the Planning Board Attorney who may be able to render his opinion with regard to the alternative remedies suggested herein.

I believe my client's public hearing is scheduled for Wednesday, October 11th, and I would hope that we can have Mr. Krieger's opinion prior to that time.

I look forward to hearing from you or Mr. Krieger.

Respectfully yours,

VERGILIS, STENGER, ROBERTS & PERGAMENT

A handwritten signature in cursive script, reading "Gerald A. Vergilis".

GERALD A. VERGILIS

GAV/aew

cc: Andrew Krieger, Esq.
Wayne Baratta

VERGILIS, STENGER, ROBERTS & PERGAMENT

ATTORNEYS AND COUNSELORS AT LAW

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POUGHKEEPSIE OFFICE
276 MAIN MALL
POUGHKEEPSIE, NY 12601
(845) 452-1046

ADDRESS REPLY TO: () POUGHKEEPSIE
() WAPPINGERS

August 10, 2000

Ms. Leslie Cook
Town of New Windsor
555 Union Avenue
New Windsor, New York 12553-6196

Re: Wayne Baratta
298-300 Forge Hill Road, New Windsor, New York

Dear Ms. Cook:

I represent Wayne Baratta, the owner of the above referenced parcel. Enclosed please find a Request for Combination on the form you provided me. In discussing this matter with your office, I was told that this type of request is granted only if the taxes on both parcels are fully paid. That is not true in this case.

This property has gone through a bankruptcy and foreclosure proceeding and an agreement was subsequently reached with the County Tax Department that permitted the owner to bring all taxes current by January 1, 2001. This can be confirmed with Susan Z. Stockburger, Esq., Senior Assistant County Attorney.

It is my understanding this Request for Combination is necessary because of the application presently before your Planning Board. These parcels are to be combined to satisfy parking requirements.

I am sending a copy of this letter to James Petro, Planning Board Chairman, so that he is apprised of this request for combination and the tax status.

Page 2
August 10, 2000

If you have any questions, please feel free to contact me or have your attorney do so.

Very truly yours,

VERGILIS, STENGER, ROBERTS & PERGAMENT

GERALD A. VERGILIS

GAV/aew

Enclosure

cc: James Petro, Planning Board Chairman
Wayne Baratta



Joseph G. Rampe
County Executive

REAL PROPERTY TAX SERVICE AGENCY

Gary A. Bennett Sr. CCD
Director

124 Main Street
Goshen, New York 10924
(914) 294-5151, EXT. 1445

REQUEST FOR COMBINATION

DATE: August 10, 2000

TOWN/VILLAGE/CITY New Windsor

SCHOOL DISTRICT New Windsor

	S.B.L.
1.	49-1-21
2.	49-1-22
3.	
4.	
5.	
6.	

For Tax Map Department use	
DEED	OWNER

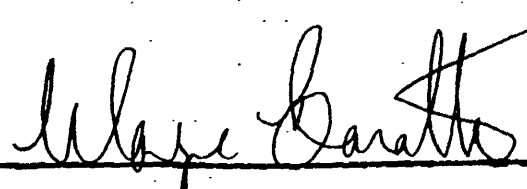
A REQUEST IS MADE TO COMBINE THE ABOVE NAMED SECTION,
BLOCK AND LOTS INTO ONE PARCEL FOR TAX PURPOSES.

ISSUE NEW OR DECIMAL OFF SEC. _____ BLK. _____ LT. _____

ALL THE DUE TAXES ARE PAID
ON THESE PARCELS AND THEY ARE ALL IN THE SAME SCHOOL DISTRICT:

ASSESSOR'S SIGNATURE
AUTHORIZING AND CONFIRMING
ABOVE

OWNER'S SIGNATURE



PASQUALE G. GIZZO, REFEREE

GRANTOR,

TO

WAYNE BARATTA

GRANTEE,

REFEREE'S DEED

District:
Section: 49
Block: 1
Lots: 21 & 22
County: Orange

Return by Mail to:
Vergilis, Stenger, Roberts & Pergament
1136 Route 9
Wappinger Falls, New York 12590
Att: Gerald A. Vergilis, Esq.

7
2424

REFEREE'S DEED

THIS INDENTURE, is made as of the 5 day of June, 2000

BETWEEN PASQUALE G. GIZZO, Referee, having an address at 161 Underhill Avenue, West Harrison, New York, duly appointed in the action hereinafter mentioned, Grantor

AND WAYNE BARATTA, having an address at 33 Village Common Road, Fishkill, New York 12524, Grantee:

WITNESSETH, that the Grantor, the Referee appointed in an action between William Bromberg, plaintiff, and STP/JMK Properties, Inc., JMK/STP Properties, Ltd. , John F. Martin, Theresa A. Martin, Joseph P. Lahey, The Prudential Home Mortgage Company, Inc., Rudolf Rottmeier, Commissioner of Taxation and Finance, Mid Valley Oil, Hudson Windsor Associates, Michael S. Sachs, Alexander Adams, d/b/a Southgate Village, Michael Leyden, The United States of America, John Martin d/b/a Marko Discount Beverages, and Mary O'Keefe defendants, foreclosing a mortgage recorded on July 23, 1986 in the office of the Clerk of Orange County, in liber 2328 of mortgages, at page 302, which mortgage was modified by Agreement dated 8/31/90 and recorded with the Orange County Clerk on November 21, 1990 in liber 3376, page 70, and in pursuance of a judgment entered at an IAS Part of the Supreme Court of the State of New York, held in and for the County of Orange, on the 5th day of July, 1996, and in consideration of the sum of One Thousand (\$1,000.00) Dollars paid by the Grantee, being the highest sum bid at the sale by plaintiff under said judgement, which bid was assigned to Grantee by Assignment of Bid dated May 25, 2000, does hereby grant and convey unto the Grantee

ALL of the right, title and interest of the Defendants in and to

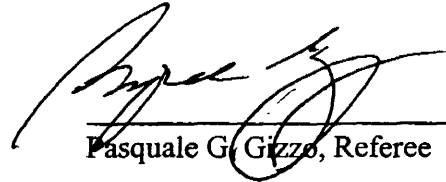
ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, and State of New York, being more particularly described in Schedule "A" annexed hereto and made a part hereof.

To have and to hold the premises herein granted unto the Grantee, and its successors and assigns forever.

RAD 11945

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal on the date first above written.

In presence of:


Pasquale G. Gizzo, Referee

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

On the 5th day of June in the year 2000, before me, the undersigned, personally appeared Pasquale G. Gizzo, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

VERA CARELLO
Notary Public, State of New York
No. 01CA4693229
Qualified in Westchester County
Commission Expires 03/09/2002


Notary Public

**FIDELITY NATIONAL TITLE INSURANCE COMPANY
OF NEW YORK
SCHEDULE A**

(description)

RAD NO. 11945
Title No.

LOT 22

PARCEL I

ALL that certain plot, piece or parcel of land situate, lying and being in the TOWN OF NEW WINDSOR, County of Dutchess and State of New York and more accurately bounded and described as follows:

BEGINNING at a point on the easterly side of Old Forge Hill Road, said point of the beginning being S 16-39-00 West a distance of 278.95 feet from the northwest corner of lands belonging now or formerly to the Shell Oil Company, which is also the intersection of the south side of Route 32 and the east side of Old Forge Hill Road; and proceeding thence:

- (1) N 73-21-00 East a distance of 150.0 feet to a point; thence
- (2) N 10-30-40 East a distance of 99.80 feet to a point; thence
- (3) N 4-57-47 West a distance of 91.41 feet to a point; thence
- (4) S 55-33-28 West a distance of 224.84 feet to a point on the east side of Old Forge Hill Road; thence along said easterly side of Old Forge Hill Road
- (5) S 16-39-00 West a distance of 110.0 feet to the point or place of BEGINNING.

PARCEL II

ALL that certain plot, piece or parcel of land, situate, lying and being in the TOWN OF NEW WINDSOR, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point in the easterly line of Old Forge Hill Road, where the same is intersected by the northerly line of lands now or formerly of Authur & William Bromberg, formerly Marko, and the southerly line lands now or formerly of Hecht & Bakker as quitclaimed by Harold Adams by deed Liber 2116 page 159. Said point being distant 168.95 feet on a course of S 15-53-53 East along the easterly line of Old Forge Hill Road from an iron pipe found in the southeasterly line of New York State Route 32; and running thence

- (1) N 15-53-53 E 8.95 feet along the easterly line of Old Forge Hill Road to a point; thence
- (2) N 41-15-19 E 1.45 feet to a point; thence
- (3) S 16-39-00 E 3.08 feet to a point; thence
- (4) N 55-33-28 E 67.85 feet to a point in a proposed new division line; thence
- (5) N 74-52-27 E 3.49 feet along a proposed new division line between lands now or formerly of Hecht & Bakker, on the north, and lands now or formerly of Bromberg on the south, to a point; thence
- (6) S 56-18-35 W 75.77 feet along the southerly line of the parcel quitclaimed to Hecht & Bakker to the point or place of BEGINNING.

PARCEL III

ALL that certain plot, piece or parcel of land, situate, lying and being in the TOWN OF NEW WINDSOR, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point in the easterly line of Old Forge Hill Road, where the same is intersected by the northerly line of lands now or formerly of Bromberg as recorded in Liber 2152 of Deeds on page 98. Said point being distant 168.95 feet on a course of S 16-39-00 East along the easterly line of Old Forge Hill Road from a round head bolt found in the southeasterly line of New York State Route 32; and running thence

- (1) N 16-39-00 W 22.45 feet along the easterly line of Old Forge Hill Road to a point; thence
- (2) N 74-52-27 E 64.63 feet along a new division line between the parties hereto to a point in the existing northerly line of lands now or formerly of Bromberg; thence
- (3) S 55-33-28 W 67.85 feet along the existing northerly line of lands now or formerly of Bromberg to the point or place of BEGINNING.

EXCEPTING AND RESERVING THEREFROM ALL that certain lot, place or parcel of land situate, lying and being in the TOWN OF NEW WINDSOR, County of Orange, and State of New York, bounded and described as follows:

BEGINNING at a point in the northerly line of lands now or formerly of Authur & William Bromberg as recorded in Liber 2152 of Deeds, on page 98. Said point being further described by the following two (2) courses and distances from a round head bolt found marking the intersection of the southeasterly line of New York State Route 32 with the easterly line of Old Forge Hill Road;

- (A) S 16-39-00 E 168.95 feet along the easterly line of Old Forge Hill Road to a point; thence
- (B) N 55-33-28 E 67.85 feet along the northerly line of lands now or formerly of Bromberg to the point or place of BEGINNING; and running thence
 - (1) N 55-33-28 E 156.99 feet along the northerly line of lands now or formerly of Bromberg to a corner thereof; thence
 - (2) S 04-57-47 East 52.76 feet along the easterly line of said lands to a point; thence
 - (3) S 74-52-27 W 138.94 feet along a new division line between the parties hereto to the point or place of BEGINNING.

Said parcels I, II and III being designated as Tax Map Section 9, Block 1, Lot 22.

UNITED GENERAL TITLE INSURANCE COMPANY
SCHEDULE A

(description)

RAD NO. 11945
Title No.

LOT 21

PARCEL IV

ALL that certain plot, piece or parcel of land situate, lying and being in the TOWN OF NEW WINDSOR, County of Orange and State of New York known as part of Lots C-6, 64 and 66 as shown on a map entitled "Amended Map Of Gateway", dated November, 1962 and filed in the Office of the Orange County Clerk on October 15, 1963 as Map No. 2009 and being bounded and described as follows:

BEGINNING at a point in the easterly line of Old Forge Hill Road, said point being 278.90 feet south of New York State Route 32, thence; N 73-44-00 E 146.14 feet along lands now or formerly of Bromberg, thence; N 11-02-00 E 212.50 feet along lands now or formerly of Bromberg and lands now or formerly of Hecht, thence; S 4-26-00 E 192.96 feet along lands now or formerly of Crook and lands now or formerly of Marotta, thence; S 18-41-00 E 100.30 feet along lands now or formerly of Marotta and lands now or formerly of Bakker, thence; S 73-44-00 W 203.33 feet along lands now or formerly of Forge Hill Associates to an iron rod, thence; N 19-05-00 W 100.36 feet along the easterly line of Old Forge Hill Road to the point of BEGINNING.
Said parcel being designated as Tax Map Section 9, Block 1, Lot 21.

RESULTS OF PUBLIC MEETING OF: July 12, 2000

PROJECT: OKRAM, LLC

P.B.# 00-12

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y__ N__

M)__ S)__ VOTE: A__ N__

2. TAKE LEAD AGENCY: Y ☒ N__

CARRIED: YES__ NO__

M) LS S) A VOTE: A 5 N 0

CARRIED: YES ☒ NO__

WAIVE PUBLIC HEARING:

M) LS S) LS VOTE: A 5 N 0 WAIVED: Y__ N ☒

SCHEDULE P.H. Y ☒ N__

After Work Shop + plans corrected

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)__ S)__ VOTE: A__ N__

RETURN TO WORK SHOP: YES__ NO__

APPROVAL:

M)__ S)__ VOTE: A__ N__ APPROVED: _____

M)__ S)__ VOTE: A__ N__ APPROVED CONDITIONALLY: _____

NEED NEW PLANS: Y__ N__

DISCUSSION/APPROVAL CONDITIONS:

<i>Show all parking</i>
<i>Address Mark's comments</i>
<i>2 Lots to be combined</i>
<i>Landscaping</i>

OKRAM LLC SITE PLAN (00-12) FORGE HILL ROAD

Mr. Paul Cuomo appeared before the board for this proposal.

MR. PETRO: This application proposes an increase in the retail area of the existing building interior and associated parking lot and site improvements. This plan was reviewed on a concept basis only.

MR. CUOMO: This is an improvement of an existing business. Basically, existing business is Marko Beverage and what we have got here, this is a utilization we're going to cut the building in half and then we're going to have a retail area here.

MR. BUTLER: Kevin Butler. We're going to move it over onto this side to improve the building, we're flipping it over.

MR. BRESNAN: Where the dry goods are?

MR. BUTLER: Yes, to the right would be windows.

MR. CUOMO: The existing business is still here.

MR. BUTLER: We're operating as it was and like to improve upon that and go on to the other side.

MR. LANDER: Are we increasing the retail area?

MR. BUTLER: Yes. The additional parking is on the side, it said 16 spots that we need, we have 21 put in there.

MR. BRESNAN: That's just shale now?

MR. BUTLER: Yeah, it's just a lot.

MR. LANDER: Now, is there going to be any parking out in front like there used to be?

MR. BUTLER: Yes, there would still be existing parking over here.

MR. LUCAS: And the door, too?

MR. BUTLER: Again, not used, you would have the windows and the entranceway would come on to where the newer lot would be which would give you more parking closer to it without backing up onto Old Forge Hill which was always a hassle there.

MR. PETRO: Show the parking on the other side also and delineate with lines, show it and make sure it's striped as we go along here.

MR. BRESNAN: You get the delivery over there?

MR. BUTLER: The deliveries come through the back, which is an overhead door which we can load everything.

MR. LUCAS: How do they get there?

MR. BUTLER: From here and there's also they can actually do a loop right around the building which is how it's done now and there's plenty of room for the trucks to go through.

MR. BRESNAN: It's all going to be paved all the way around?

MR. BUTLER: Yeah, well, most, this is all paved here, and this is we're just going to repave this and do a seal coat over the top.

MR. PETRO: Show the lines, show the parking.

MR. ARGENIO: What's the loose lot line in the back of the building?

MR. BUTLER: Excuse me, where?

MR. ARGENIO: Behind that, above that, what's that, what's going on there?

MR. BUTLER: That's a, that's the fencing.

MR. ARGENIO: No, the dark line that comes to a dead-end, what's that all about?

MR. LANDER: Harold Adams owns that.

MR. EDSALL: Jim or Jerry, this has two lots in this application.

MR. ARGENIO: Shouldn't that continue?

MR. EDSALL: It should, just the line, wait, isn't the same on the drafting, but there's a light line coming down the page so--

MR. ARGENIO: Down the sidewalk?

MR. EDSALL: It should be dark down through here.

MR. PETRO: What we're going to do, gentlemen, is let's first do lead agency motion, please.

MR. LUCAS: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion's been made and seconded that the Town of New Windsor Planning Board declare itself lead agency on the Okram LLS Site Plan on Forge Hill Road. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: There's such a number of comments that need to be addressed, I'm not going to go over them, all I want to you take it back, do it again, Paul, go over all these comments then come back again. I'm not going to go over every one of the, even the bulk table is wrong, if we can, want to get things going, we can schedule a public hearing. Mark, do you think the plan will be acceptable enough to have a public hearing at the next meeting or do you want to see it at another

workshop?

MR. EDSALL: We have to make sure all the information is straightened out, but if you want to authorize it, it's just a matter of once everything's in order, Myra can put it on the agenda.

MR. PETRO: We can do that motion to have a public hearing.

MR. LANDER: So moved.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the Town of New Windsor Planning Board have a public hearing for the Okram LLC site plan. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: So once we get sufficiently along enough, you don't have to come back to schedule a public hearing, just do it and it will be the next meeting. But do you have a copy of his comments?

MR. BUTLER: Thank you.

MR. KRIEGER: Mr. Chairman, one thing is when there are two lots in an application, it's normally a requirement of the planning board that those lots not only be a note on the map, those lots be combined by deed into one lot, because it's a single lot on which the planning board is basing it's review on.

MR. PETRO: You're going to have parking on one lot and building on another, obviously, it's got to be one lot because if you ever sell the lot, there's no parking for the building.

MR. KRIEGER: Right, exactly.

MR. PETRO: You're going to have to combine the two lots.

MR. KRIEGER: What I am getting at is in terms of there's the reason I mention it now because they have some more work to do before final approval, so they can work on that as well. They have to be combined into one deed, I've got to look at it for form, Mr. Edsall's got to look at it for description and then ultimately, it has to be recorded before the plan is stamped.

MR. PETRO: Understand what he's saying? You have to combine the two lots.

MR. BUTLER: Yes.

MR. KRIEGER: If you have an attorney, I will be happy to have him call me, I will be happy to work with him.

MR. LANDER: Paul, your sidewalk alongside the building has to be wider, five foot is not going to be enough.

MR. CUOMO: We're going to put bumper blocks.

MR. BABCOCK: The main parking lot is going to be to south of the building, if you will, so to get people from that to the existing retail store that's there now, the bumper blocks, I'm going to tell you are a maintenance problem, keeping them in place, snow removal and everything else, so you ought to give that some thought before you make a decision.

MR. PETRO: It's your place of business, it's a nice spot, you should put curbs in, do a nice six foot sidewalk and have it nice. That's what makes the place look nice. Bumper blocks with a blacktop curb, it looks like these guys tried to save bucks, what a mess, just do it nice, put a curb in and do it the right way, six foot sidewalk, it's not that big a deal.

MR. LANDER: Because you need 40 inches for the handicapped.

MR. LUCAS: Is there any natural screening in the back of the building?

MR. BUTLER: There's a fence in the back that goes and then there's trees that are probably overgrown.

MR. LUCAS: You can just, don't want the new traffic to be shining in everybody's window.

MR. BUTLER: Yes.

MR. PETRO: Show some landscaping.

MR. LANDER: Mike, the only place we're going to find that is on the east side, you know they had the Forge Hill Apartments right there when they pull into the parking spaces at night, there's going to be headlights.

MR. PETRO: By doing the concrete curb also makes the handicapped nice, makes a little cut out in the curb, just everything will be right, you won't have any problems.

MR. BRESNAN: How late are you guys going stay open at night?

MR. BUTLER: Till 9.

MR. PETRO: Show site lighting, too, he doesn't have it on there at all.

MR. CUOMO: We have lighting.

MR. PETRO: Wall packs on the whole entire parking area?

MR. CUOMO: Yes.

MR. PETRO: I stand corrected.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

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and PENNSYLVANIA

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e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@ptd.net

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: MARKO'S OASIS (OKRAM LLC) SITE PLAN
PROJECT LOCATION: 298 FORGE HILL ROAD
SECTION 49 – BLOCK 1 – LOT 21&22
PROJECT NUMBER: 00-12
DATE: 12 JULY 2000
DESCRIPTION: THE APPLICATION PROPOSES AN INCREASE IN
THE RETAIL AREA OF THE EXISTING BUILDING
INTERIOR AND ASSOCIATED PARKING LOT AND
SITE IMPROVEMENTS. THE PLAN WAS REVIEWED
ON A CONCEPT BASIS ONLY.

1. The project is located in the "Design Shopping" (C) Zoning District of the Town. The use is indicated as B-4 which is incorrect. I believe A-1 is intended. The "required" bulk information on the plan appears correct for the zone and use A-1, with the exception of the building height value, which is based on 12" per ft. setback. The following corrections are necessary to the bulk table:
 - a. The "provided" lot area does not match either lot or the combination of the two lots.
 - b. The front setback dimension does not match the plan. Also, it should be noted as pre-existing non-conforming.
 - c. The side setback dimension does not match the plan. Also, it should be noted as pre-existing non-conforming.
2. I have reviewed the plan and have the following initial comments:
 - a. The tax map numbers on the site plan do not match the application. Correct as necessary.
 - b. The parking on the front of the building should be "laid out" and dimensioned, for striping after approval.
 - c. The parking calculation requires some clarification. The current condition should be identified and the "added" parking for the new use should be indicated to provide a new required total. The site does not meet the new requirements.

- d. The interior use of the building on the site plan does not match the use delineation on the floor plan submitted for reference. Correct.
 - e. The plan must be clear as to the limits of the proposed sidewalk and proposed paved parking lot.
 - f. The layout with a curb island in front of the parking access isle is unacceptable. Correct.
 - g. The site plan must be based on an actual field survey such that existing conditions and possible conflicts are noted. As an example, a utility pole exists on line with the parking access isle, although it is not shown on the survey.
 - h. A note should be added to the plan indicating that the lots must be combined to a single lot prior to stamp of approval.
 - i. A detail sheet must be provided indicating the details for site construction.
 - j. A lighting plan has been submitted. I am confused with the lines shown vs. the point lighting levels. Also, four light fixtures are indicated on the schedule and only one type fixture appears to exist on the lighting plan. The applicant should also reconsider the selections, as the lighting levels appear very low.
3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.
4. The Planning Board should determine if a Public Hearing is necessary for this Site Plan, per its discretionary judgment under Paragraph 48-19.C of the Zoning Code.
5. After a corrected and more complete plan is submitted for review, I will continue a detailed review and advise the Board.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW00-12-12Jul00.doc

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/10/2000

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 0-12
NAME: MARKO'S OASIS
APPLICANT: OKRAM LLC

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/28/2000	REC. CK. #2102 (OKRAM LLC	PAID		750.00	
		TOTAL:	0.00	750.00	-750.00

A. Zappala

From Okram LLC.

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(814) 563-4611

RECEIPT
#526-2000

07/10/2000

C, Okram L L
DBA Marco's Oasis

Received \$ 100.00 for Planning Board Fees, on 07/10/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen
Town Clerk

ck# 2101

P.B. #00-12

INTER-OFFICE MEMORANDUM

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: July 11, 2000

SUBJECT: Marko Beverage Site Plan

Planning Board Reference Number: PB-00-12

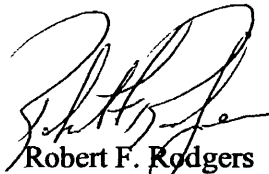
Dated: 28 June 2000

Fire Prevention Reference Number: FPS-00-028

A review of the above referenced site plan was conducted on 10 July 2000.

This site plan is acceptable.

Plans Dated: 7 July 2000



Robert F. Rodgers
Fire Inspector

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, ~~SEWER~~ **HIGHWAY**

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

RECEIVED

JUL 10 2000

PLANNING BOARD FILE NUMBER:

00-12

N.W. HIGHWAY DEPT.

DATE PLAN RECEIVED:

RECEIVED

JUN 28 2000

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved ☒ _____,

disapproved ☐ _____.

If disapproved, please list reason _____

Henry Kell 7-10-00
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF

New Windsor P/B #

¹⁻³
00-12

WORK SESSION DATE:

5 July 2000

APPLICANT RESUB.

REQUIRED:

REAPPEARANCE AT W/S REQUESTED:

Not now

Full App

PROJECT NAME:

Okeem (Marko's)

PROJECT STATUS:

NEW X OLD

REPRESENTATIVE PRESENT:

B. V. Loka, DUC, Keni

MUNIC REPS PRESENT: BLDG INSP.

FIRE INSP.

ENGINEER

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

HENRY

Town Road - Does he want to close up front at all

Combine lots

why 59' lane in pty lot rather than 25'?

light pole in middle of lot

- paving 1" AG; 2310 sq ft; new pty code 67

- new pty is not net, now gross SF

CLOSING STATUS

Set for agenda

X possible agenda item

Discussion item for agenda

ZBA referral on agenda

pbwsform 10MJE98



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

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- ☐ Branch Office
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Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B **00-12**

WORK SESSION DATE: 4 May 00 (Thurs) APPLICANT RESUB.
REQUIRED: Full/Later

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Marko S/P

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: Bill Lohrey/Wayne Benoit

MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X _____
ENGINEER X _____
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Former Marko's property
- Split Building - right side now Marko's
- will need site plan & need survey

CLOSING STATUS

Set for agenda
possible agenda item
Discussion item for agenda
ZBA referral on agenda

pbwsform 10MJE98



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Change _____ Site Plan ☒ Special Permit _____

Tax Map Designation: Sec. 49 Block 1 Lot 21 & 22

1. Name of Project MARKO'S OASIS

2. Owner of Record OKRAM, LLC Phone (845) 562-7131

Address: 298 FORGE HILL ROAD NEW WINDSOR N.Y. 12553
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant SAME Phone _____

Address: _____
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan PATRICK BRADY, P.E. Phone (845) 778-4006

Address: P.O. Box 482 WINDSOR, N.Y. 12586
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney — Phone _____

Address: _____
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

PATRICK BRADY (845) 778-4006
(Name) (Phone)

7. Project Location:

On the EASTERLY side of FORGE HILL ROAD 150' feet
(Direction) (Street) (No.)
SOUTH EASTERLY of N.Y.S. ROUTE 32
(Direction) (Street)

8. Project Data: Acreage 1.114 acres Zone C School Dist. NEWBURGH

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No ✓

*This information can be verified in the Assessor's Office.

*If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".

10. Description of Project: (Use, Size, Number of Lots, etc.) Commercial Lot 4
EXISTING 10,000 S.F. BUILDING - EXISTING USE BEER DR.
PROPOSED ADDITIONAL RETAIL SPACE & PARKING

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no ✓

12. Has a Special Permit previously been granted for this property? yes _____ no ✓

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

20th DAY OF September 2000

Ken Bollen
APPLICANT'S SIGNATURE

Wanda J. Herina
NOTARY PUBLIC

WANDA J. HERINA
Notary Public, State of New York
Qualified in Orange County
No. 4652226
Commission Expires Nov. 30, 2001

Kevin Bollen
Please Print Applicant's Name as Signed

TOWN USE ONLY:

RECEIVED
REVISED Application
SEP 20 2000

00-12

DATE APPLICATION RECEIVED

APPLICATION NUMBER

TOWN OF NEW WINDSOR PLANNING BOARD

SITE PLAN CHECKLIST

ITEM

1. ☒ Site Plan Title
2. ☒ Applicant's Name(s)
3. ☒ Applicant's Address
4. ☒ Site Plan Preparer's Name
5. ☒ Site Plan Preparer's Address
6. ☒ Drawing Date
7. ☒ Revision Dates
8. ☒ Area Map Inset
9. ☒ Site Designation
10. ☒ Properties within 500' of site
11. ☒ Property Owners (Item #10)
12. ☒ Plot Plan
13. ☒ Scale (1" = 50' or lesser)
14. ☒ Metes and Bounds
15. ☒ Zoning Designation
16. ☒ North Arrow
17. ☒ Abutting Property Owners
18. ☒ Existing Building Locations
19. ☒ Existing Paved Areas
20. ☒ Existing Vegetation
21. ☒ Existing Access & Egress

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PROPOSED IMPROVEMENTS

- 22. ☒ Landscaping
- 23. ☒ Exterior Lighting
- 24. ☒ Screening
- 25. ☒ Access & Egress
- 26. ☒ Parking Areas
- 27. ☒ Loading Areas
- 28. ☒ Paving Details (Items 25 - 27)
- 29. ☒ Curbing Locations
- 30. ☒ Curbing through section
- 31. ☒ Catch Basin Locations
- 32. ☒ Catch Basin Through Section
- 33. ☒ Storm Drainage
- 34. ☒ Refuse Storage
- 35. ☒ Other Outdoor Storage
- 36. ☒ Water Supply
- 37. ☒ Sanitary Disposal System
- 38. ☒ Fire Hydrants
- 39. ☒ Building Locations
- 40. ☒ Building Setbacks
- 41. ☒ Front Building Elevations
- 42. ☒ Divisions of Occupancy
- 43. ☒ Sign Details
- 44. ☒ Bulk Table Inset
- 45. ☒ Property Area (Nearest 100 sq. ft.)
- 46. ☒ Building Coverage (sq. ft.)
- 47. ☒ Building Coverage (% of total area)
- 48. ☒ Pavement Coverage (sq. ft.)
- 49. ☒ Pavement Coverage (% of total area)
- 50. ☒ Open Space (sq. ft.)
- 51. ☒ Open Space (% of total area)
- 52. ☒ No. of parking spaces proposed
- 53. ☒ No. of parking spaces required

00-12

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SEP 20 2000

54.

55. _____

BY:

~~Licensed Professional~~

Date _____

00-12

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SEP 20 2000

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

OKRAM, LLC, deposes and says that he resides
(OWNER)
at 298 Forge Hill Road NEW WINDSOR
(OWNER'S ADDRESS) N.Y. 12553 in the County of ORANGE

and State of NEW YORK and that he is the owner of property tax map

(Sec. 49 Block 1 Lot 21)
designation number (Sec. 49 Block 1 Lot 22) which is the premises described in

the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

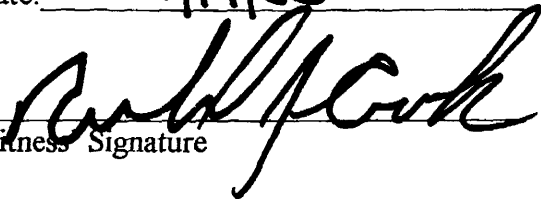
Patrick Brady, P.E. P.O. Box 482, Warsaw, N.Y. 12586
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date:

9/19/00

Witness Signature

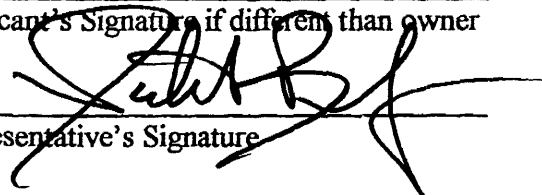


Owner's Signature

Kenn Barth V.P.

Applicant's Signature, if different than owner

Representative's Signature



**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

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00-12

SEP 20 2000

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR OKRAM LLC	2. PROJECT NAME MARKOS OASIS
3. PROJECT LOCATION: Municipality NEW WINDSOR County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 298 FORGE HILL RD NEW WINDSOR NY 12553	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: PAVING SIDE LOT AND REMODELING EXISTING BUILDING	
7. AMOUNT OF LAND AFFECTED: Initially <u>1</u> acres Ultimately <u>1</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals BUILDING DEPARTMENT & PLANNING BOARD	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: CHRISTOPHER S LAHEY Date: 6-29-00	
Signature: <u>Christy S Lahey</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

00-12

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: 	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
<hr/>	
Name of Lead Agency	
<hr/>	<hr/>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<hr/>	<hr/>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)
<hr/>	
Date	

FOR OFFICIAL USE ONLY

Permit No. _____

Fee Received _____ Date _____

NOT IN FLOODZONE

_____ of _____

_____ County, New York

Permit Application for Development
in
Flood Hazard Areas

- A. General instructions page 4 (Applicant to read and sign)
- B. For assistance in completing or submittal of this application contact:

_____, Floodplain Administrator,
(Name)

(Address)

_____, NY () _____

1. Name and Address of Applicant

(First Name) (MI) (Last Name)

Street Address: _____

Post Office: _____ State: _____ Zip Code: _____

Telephone: () _____ - _____

2. Name and Address of Owner (If Different)

(First Name) (MI) (Last Name)

Street Address: _____

Post Office: _____ State: _____ Zip Code: _____

Telephone: () ____ - _____

3. Engineer, Architect, Land Surveyor (If Applicable)

(First Name) (MI) (Last Name)

Street Address: _____

Post Office: _____ State: _____ Zip Code: _____

Telephone: () ____ - _____

PROJECT LOCATION

Street Address: _____

NOT IN FLOODZONE

Tax Map No. _____

Name of, distance and direction from nearest intersection or other landmark

Name of Waterway: _____

PROJECT DESCRIPTION (Check all applicable boxes and see Page 4, Item 3)

Structures

____ New Construction
____ Addition
____ Alteration
____ Relocation
____ Demolition
____ Replacement

Structure Type

____ Residential (1-4 family)
____ Residential (More than 4 family)
____ Commercial
____ Industrial
____ Mobile Home (single lot)
____ Mobile Home (Park)
____ Bridge or Culvert

Estimated value of improvements if addition or alteration: _____

Other Development Activities

____ Fill ____ Excavation ____ Mining ____ Drilling ____ Grading
____ Watercourse alteration ____ Water System ____ Sewer System
____ Subdivision (New) ____ Subdivision (Expansion)
____ Other (Explain) _____

CERTIFICATION

Application is hereby made for the issuance of a floodplain development permit. The applicant certifies that the above statements are true and agrees that the issuance of the permit is based on the accuracy thereof. False statements made herein are punishable under law. As a condition to the issuance of a permit, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomsoever suffered, arising out of the project described herein and agrees to indemnify and save harmless to the community from suits, actions, damages and costs of every name and description resulting from the said project. Further, the applicant agrees that the issuance of a permit is not to be interpreted as a guarantee of freedom from risk of future flooding. The applicant certifies that the premises, structure, development, etc. will not be utilized or occupied until a Certificate of Compliance has been applied for and received.

Date

Signature of Applicant

NOT IN FLOODZONE of _____
Flood Hazard Development Permit

Administrative Action
Completed by Floodplain Administrator

Proposed project located in _____ "A" zone with elevation
_____ "A" zone without elevation
_____ Floodway
_____ Coastal High Hazard Area (V-Zone)

Base flood elevation at site is _____

Source documents: _____

PLAN REVIEW

Elevation to which lowest floor is to be elevated _____ ft. (NGVD)
Elevation to which structure is to be floodproofed _____ ft. (NGVD)
Elevation to which compacted fill is to be elevated _____ ft. (NGVD)

ACTION

_____ Permit is approved, proposed development in compliance with applicable floodplain management standards.

_____ Additional information required for review. Specify: (i.e., encroachment analysis)

___ Permit is conditionally granted, conditions attached.

___ Permit is denied. Proposed development not in conformance with applicable floodplain management standards. Explanation attached. A variance, subject to Public Notice and Hearing, is required to continue project.

Signature _____ Date _____
(Permit Issuing Officer)

This permit is valid for a period of one year from the above date of approval.

BUILDING CONSTRUCTION DOCUMENTATION

The certified "As Built" elevation of lowest floor (including basement) of structure is _____ ft. NGVD.

Certification of registered professional engineer, land surveyor or other recognized agent, documenting these elevations is attached.

CERTIFICATE OF OCCUPANCY/COMPLIANCE

Certificate of Occupancy and/or Compliance Issued:

Date _____ Signature _____

NOT IN FLOODZONE

of

County, New York

Development in Flood Hazard Areas
Instructions

1. Type or print in ink
2. Submit ____ copies of all papers including detailed construction plans and specifications.
3. Furnish plans drawn to scale, showing nature, dimension and elevation of area in question; existing or proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing. Specifically the following is required: (A) NGVD (Mean Sea Level) elevation of lowest floor including basement of all structures; (B) description of alterations to any watercourse; (C) statement of techniques to be employed to meet requirements to anchor structures, use flood resistant materials and construction practices; (D) show new and replacement potable water supply and sewage systems will be constructed to minimize flood damage hazards; (E) Plans for subdivision proposal greater than 50 lots or 5 acres (whichever is least) must provide base flood elevations if they are not available; (F) Additional information as may be necessary for the floodplain administrator to evaluate application.

4. Where a non-residential structure is intended to be made watertight below the base flood level, a registered professional engineer or architect must develop and/or review structural design, specifications, and plans for the construction and certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of the local floodplain management regulations.
5. No work on the project shall be started until a permit has been issued by the floodplain administrator.
6. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory compliance.
7. Applicant will provide all required elevation certifications and obtain a certificate of compliance prior to any use or occupancy of any structure or other development.

Applicant's signature _____ Date _____

CERTIFICATE OF COMPLIANCE
for
FLOODPLAIN DEVELOPMENT

NOT IN FLOOD ZONE

County, N.Y.

(Applicant shall fill in all pertinent information in Section A including 1 or 2

SECTION A

Premises location _____

Applicant
Name & Address _____

Telephone No. _____

Permit No. _____

Variance No. _____

Date _____

CHECK ONE

New Building _____

Existing Building _____

Other (List) _____

1. I certify that I have completed the above project in accordance with the Community's floodplain management regulations and have met all the requirements which were conditions of my permit. I now request completion of this Certificate of Compliance by the program administrator.

Signed _____

Date _____

2. I certify that I have completed the above project in accordance with conditions of variance number _____, dated _____ to the Community's floodplain management regulations and have met all requirements which were a condition of the variance. I now request completion of this certificate of compliance by the program administrator.

Signed _____

Date _____

SECTION B (Local Administrator will complete, file, and return a copy to the applicant.)

Final Inspection Date _____ by _____

This certifies that the above described floodplain development complies with requirements of Flood Damage Prevention Local Law No. _____, or has a duly granted variance.

Signed _____
(Local Administrator)

Date _____

Supporting Certifications: Floodproofing, elevation, hydraulic analysis, etc; (List).



Building Permit Tracking Log

Building Permit Application Number: 509-2000 Building Permit Application Date:

6/29/2000

Type of Permit: Alteration

Section/Block/Lot: 49-1-22
Street Address of Property: 360 OLD FORGE HILL RD
Property Owners Name: STP/JMK PROPERTIES INC
Property Owners Address: 360 OLD FORGE HILL RD
Occupant's Name: OKRAM LLC

Architect/Engineer's Name:
Architect/Engineer's Telephone Number:
Architect/Engineer's Fax Number:

NYS Occupancy Classification:

Description of Work: ALTERATIONS
Dimensions of Building: 0.00 0.00 0.00 0.00
Comments:

Building Permit Application Review Approvals

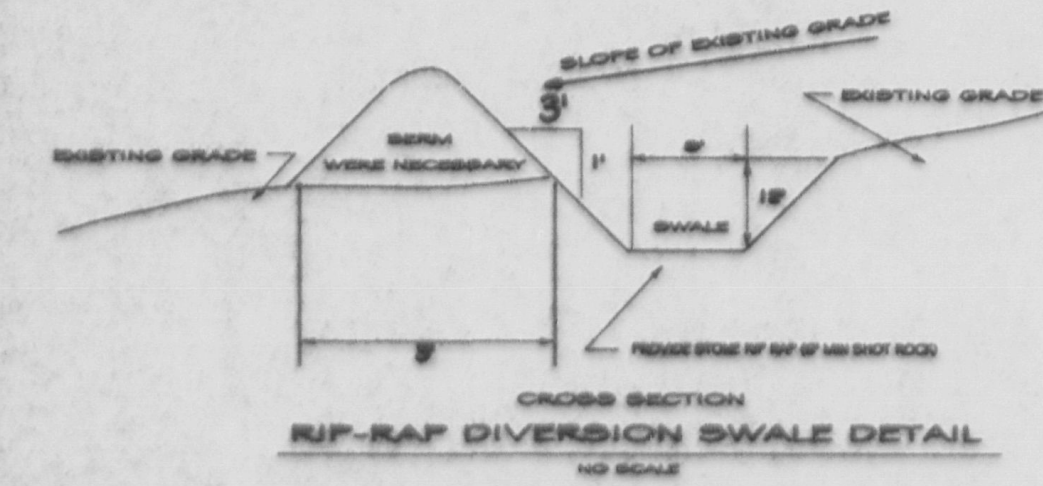
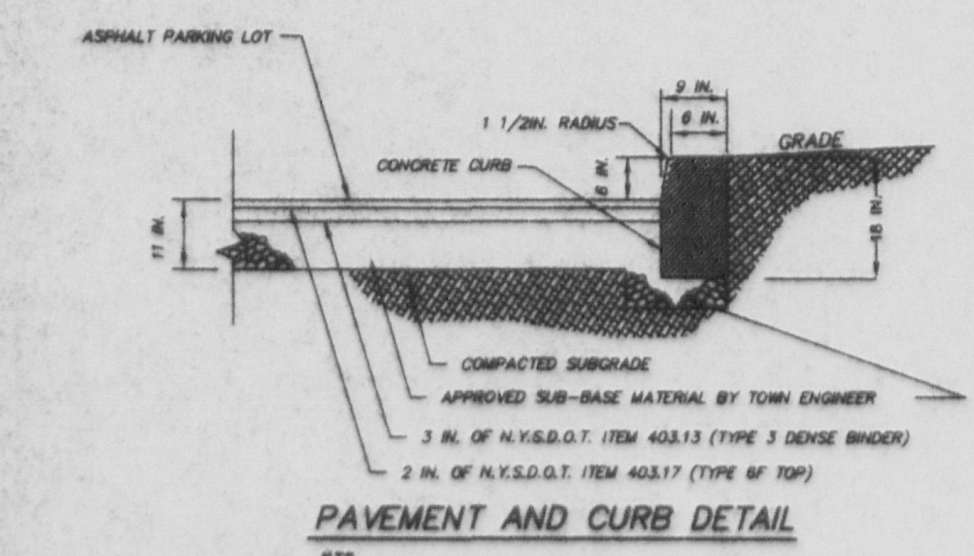
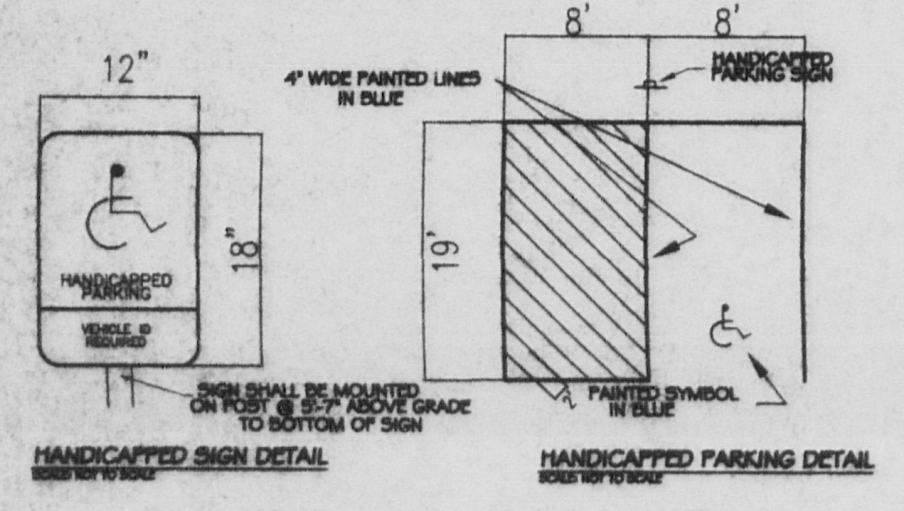
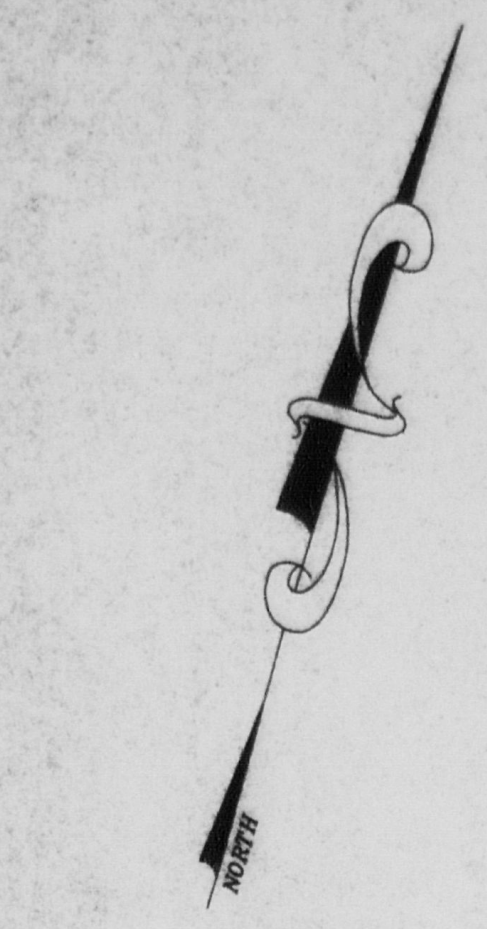
Review Type	Building Inspector	Date	Fire Inspector	Date	

planning Board

RECEIVED

JUN 28 2000

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OLD FORGE HILL ROAD

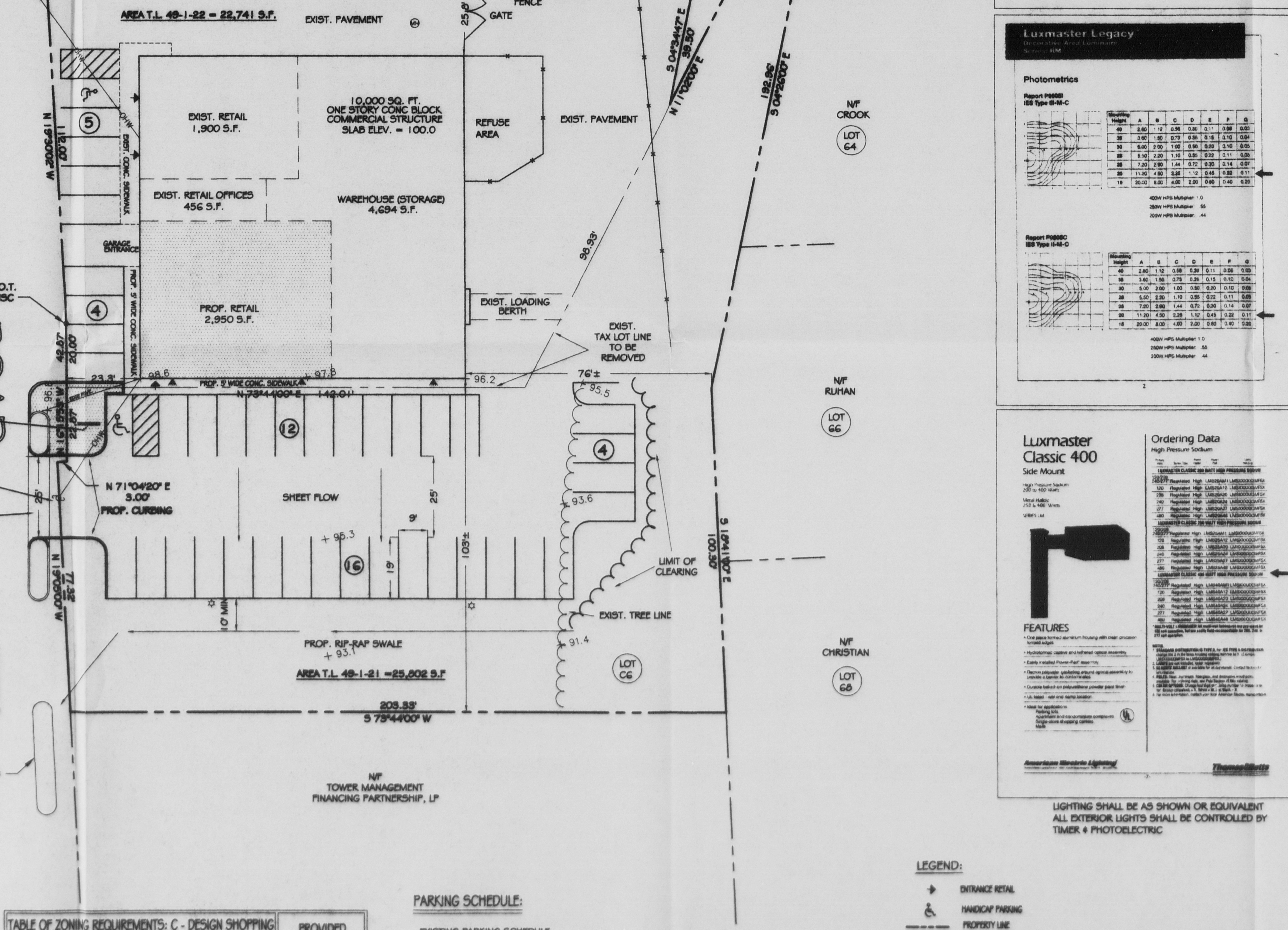


TABLE OF ZONING REQUIREMENTS: C - DESIGN SHOPPING (USE A1 - RETAIL)		
	REQUIRED	PROVIDED
MIN. LOT AREA	40,000 SQ. FT.	48,543 SQ. FT.
MIN. LOT WIDTH	200 FT	232.19'
MIN. FRONT YARD	60 FT	23.3'
MIN. SIDE YARD	30 FT	25.5'
MIN. TOTAL SIDE YARDS	70 FT	128.8' ±
MIN. REAR YARD	30 FT	76' ±
MAX. HEIGHT	12' / FT TO NEAREST FT	18' ±
FLOOR AREA RATIO	0.5	0.206
STREET FRONTAGE	235.19'	235.19'
DEVELOPMENT COVERAGE	NA	70 %

NOTE: ALL BULK REQUIREMENTS ARE PRE-EXISTING.

PARKING SCHEDULE:

EXISTING PARKING SCHEDULE:
EXISTING RETAIL SPACE - 2,356 SQ. FT. / 150 = 15.7 SPACES
EXIST. WAREHOUSE SPACE - 7,644 SQ. FT. / 1000 = 7.6 SPACES
23.3 SPACES REQUIRED
5 SPACES EXIST
18.3 SPACES SHORT

PROPOSED PARKING SCHEDULE:
PROPOSED RETAIL - 2,950 SQ. FT. / 150 = 19.7 PROP. SPACES REQUIRED
LESS WAREHOUSE ELIMINATED - 2,950 SQ. FT. / 1000 = 2.95 SPACES
22.75 SPACES REQUIRED
40 TOTAL SPACES REQUIRED
41 TOTAL SPACES PROVIDED

LEGEND:

- ENTRANCE RETAIL
- HANDICAP PARKING
- PROPERTY LINE
- +500.0 DIST. SPOT ELEV.
- 500.0 DIST. CONTOUR
- +500.0 PROP. SPOT ELEV.
- 500.0 PROP. CONTOUR
- DIST. UTILITY POLE
- PROP. SWALE
- PROP. 17.5' WALL PACK 400 HPS
- PROP. 20' LUXMASTER 400 HPS

Heavy Duty Wall Pack
High Pressure Sodium
200 WATT
20' H x 10' W
20' H x 10' W
20' H x 10' W

Ordering Data

Photometric Data

Dimensions

Luxmaster Legacy
Decorative Area Luminaire
200 WATT
20' H x 10' W
20' H x 10' W

Photometrics

Ordering Data

Photometric Data

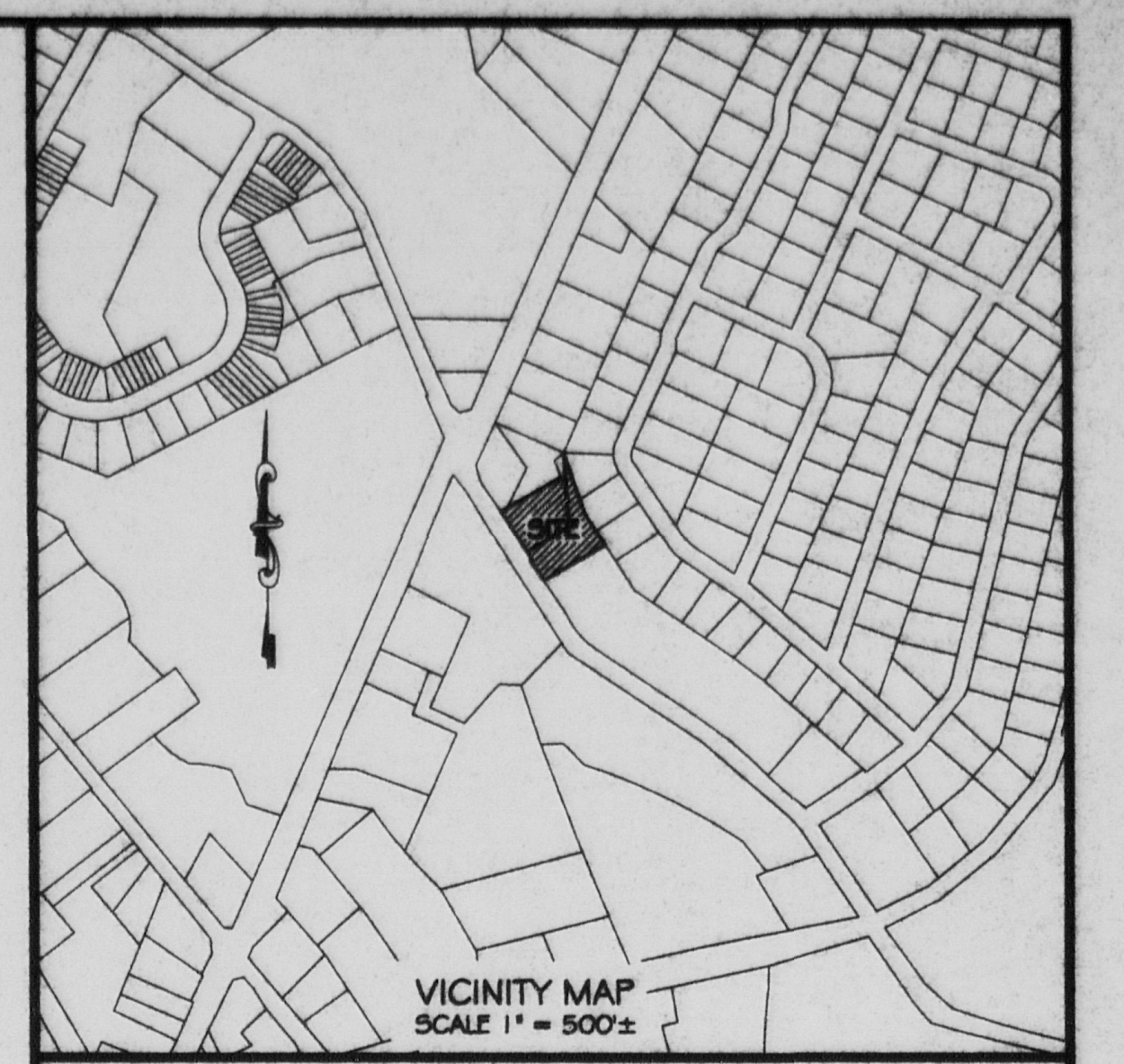
Luxmaster Classic 400
Side Mount
High Pressure Sodium
200 WATT
20' H x 10' W
20' H x 10' W

Ordering Data

Photometric Data

UNAUTHORIZED ALTERATION OR ADDITION TO THIS
DRAWING IS PROHIBITED. ANY SUCH ALTERATION OR
ADDITION SHALL VOID THE PROFESSIONAL SEAL OF THE
ENGINEER.

PATRICK F. BRADY, P.E.
N.Y.S. LIC. # 72750



- NOTES:**
- THIS IS A SITE PLAN OF LOT 21 & 22, BLK 1, SEC. 49, AS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAP.
 - TOTAL AREA OF TRACT: 48,543 sq. ft. OR 1.114± ACRES
 - ZONING DISTRICT: C - DESIGN SHOPPING
 - PROPOSED USE: ADDITIONAL RETAIL OFFICE
 - RECORD OWNER: OKRAM, LLC
296 FORGE HILL ROAD
NEW WINDSOR, N.Y. 12553
 - APPLICANT: OKRAM, LLC
296 FORGE HILL ROAD
NEW WINDSOR, N.Y. 12553
 - TOPOGRAPHY: DATUM - ASSUMED
CONTOUR INTERVAL - 2 FT.
 - WATER SUPPLY: EXISTING - TOWN OF NEW WINDSOR
 - SANITARY SEWAGE DISPOSAL: EXISTING - TOWN OF NEW WINDSOR
 - THIS PLAN DOES NOT CONFLICT WITH THE COUNTY OFFICIAL MAP AND HAS BEEN APPROVED IN THE MANNER SPECIFIED BY SECTION 239K OF THE GENERAL MUNICIPAL LAW.
 - REFERENCE BOUNDARY SURVEY PREPARED BY PATRICK T. KENNEDY P.L.S. LIC. NO. 49219, DATED ON DEC. 4, 1986, REVISED AUG. 15, 2000.
 - EXISTING TAX LOTS 49-1-21 & 49-1-22 SHALL BE COMBINED TO A SINGLE LOT.

REVISIONS

REV. 11/01/00 - CHGD BLK TBL, PARKING CALC. & ADDED LIMIT OF CURING.

REV. 11/14/00 - CHGD BLK TBL AND M&B.

FOR USE BY THE TOWN OF NEW WINDSOR PLANNING BOARD

APPROVAL GRANTED BY TOWN OF NEW WINDSOR

DEC 14 2000

By: James P. Brady, Jr., P.E.
James P. Brady, Jr., P.E.

SITE PLAN FOR MARKO'S OASIS

LOCATED IN TOWN OF NEW WINDSOR ORANGE COUNTY, NEW YORK

GRAPHIC SCALE

1 inch = 20 ft

BRADY ENGINEERING
CONSULTING ENGINEER
POST OFFICE BOX 482, WALDEN, N.Y. 12586
TEL./FAX (845) 776-4006

REVISED 975-00
DATE SEP. 15, 2000
SCALE 1" = 20'
SHEET 1